

# The European Union as a laboratory of paradiplomacy in the context of international and domestic determinants of regions' foreign activities

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## Abstract

The aim of this article is to propose an analytical framework of the EU as a laboratory of paradiplomacy in context of international and domestic determinants of the regions' foreign activities. The article shades some light on the definitions of paradiplomacy, which allow to understand the ambiguity of the status of regions in international relations. Firstly, the dimensions and types of paradiplomacy are identified. Secondly, the discourse concerning international and domestic determinants of international engagement of regional governments is identified. Then, the framework of the EU as a laboratory of paradiplomacy is explained in the three subsequent parts. Firstly, the EU is referred to as an *intermestic* determinant of paradiplomacy, what results from the specific nature of the EU that corresponds with the international and domestic determinants of paradiplomacy in general. Secondly, the EU is addressed as an arena of paradiplomacy where various patterns of regional governments' presence in Brussels are tested. Finally, paradiplomacy in the EU is addressed as a scholarly challenge for the further research.

**Keywords:** paradiplomacy, EU, international determinants, domestic determinants

## Unia Europejska jako laboratorium paradyplomacji w kontekście międzynarodowych i wewnętrznych uwarunkowań aktywności zagranicznej regionów

### Streszczenie

Celem artykułu jest zaproponowanie podejścia postrzegającego UE jako laboratorium paradyplomacji w kontekście międzynarodowych i wewnętrznych uwarunkowań aktywności zagranicznej regionów. Artykuł otwierają rozważania definicyjne, które pozwalają zrozumieć niejednoznaczność statusu regionów w stosunkach międzynarodowych. Następnie przywołane zostały wymiary i typy paradyplomacji. W dalszej kolejności, identyfikowane są międzynarodowe i wewnętrzne uwarunkowania międzynarodowego zaangażowania regionów. Podejście postrzegające UE jako laboratorium paradyplomacji wyjaśniono w trzech kolejnych częściach. W pierwszej, integracja europejska jest traktowana jako międzynarodowo-narodowa (*intermestic*) determinanta paradyplomacji, co wynika

ze specyfiki UE, która odpowiada międzynarodowym i krajowym determinantom paradyplomacji w ogóle. W drugiej, UE jest postrzegana jako arena paradyplomacji, w której testowane są różne formy obecności władz regionalnych w Brukseli. W trzeciej, paradyplomacja w UE odniesiona została do kluczowych podejść teoretycznych, które podejmują jej temat w kontekście badawczych ambicji jej teoretycznego uregulowania.

**Słowa kluczowe:** paradyplomacja, UE, uwarunkowania międzynarodowe, uwarunkowania wewnętrzne

The regions understood in this article as non-central governments<sup>1</sup> began to be considered in the category of international relations' participant in the 1970s, mainly due to the so-called New Federalism, which resulted in changes in federal states that enabled international activity of Canadian and US provinces. This vector in the area of international relations began to be successively and intensively explored in the 1990s as a result of global alternations of the international order related to the end of the Cold War and globalisation processes (Kuznetsov 2015: p. 43–44). In Europe, the particular mobilisation of regions in international relations is associated with the intensification of the processes of European integration, which fundamentally strengthened the role of regions (Hooghe 1995: p. 175).

Regions' involvement in international relations causes many difficulties in terms of proper defining of their activities in the scientific categories. In consequence, this increasingly interesting phenomenon still remains in a perspective of a scholar challenge. In traditional definition of international relations the regions' status is clear: they are not subjects of international law (Tomaszewski 2006: p. 74). Moreover, "regions do not have sovereign governments able to lay down their definition of the 'national interest' and to pursue it in a unified and coherent manner. Regions are complex entities containing a multiplicity of groups which may share common interests in some areas but be sharply divided on other issues (...). They must fit their own activities into a world dominated by national governments and transnational organisations, which they can rarely challenge head on but must work around or with" (Keating 2000: p. 3). Regions' external engagement is often "an activity that typically falls in a legal and constitutional grey zone because most constitutions almost always give exclusive powers over foreign affairs to the state" (Lecours 2008: p. 6). And states do not always share the conviction of delegating or assigning international competences to regions, fearing for the states' inconsistent presence in international arena or divisions and internal conflicts. However, this does not change the fact that regions are beginning to be perceived in the context of an actor of international relations, next to traditional state actors and non-state ones like transnational corporations, civil society organisations, etc. (see more: Keating 2001; Surmacz 2013).

The aim of this article is to propose an analytical framework of the EU as a laboratory of paradiplomacy in context of international and domestic determinants of regions' foreign

<sup>1</sup> In this article the notions "non-central governments", "regional governments", "subnational governments" will be used interchangeably.

activities. The article opens with definition considerations, which allow to understand the ambiguity of the status of regions in international relations. Next, the dimensions and types of paradiplomacy are identified. Then, the discourse concerning the international and domestic determinants of international engagement of non-central governments is described. The framework of the EU as a laboratory of paradiplomacy is explained in the three subsequent parts. Firstly, the EU is referred to as an *intermestic* determinant of paradiplomacy, what results from the specific nature of the EU that corresponds with the international and domestic determinants of paradiplomacy in general. Secondly, the EU is addressed as an arena of paradiplomacy where various patterns of regional governments' presence in Brussels are tested. Finally, paradiplomacy in the EU is addressed as a scholarly challenge for the further research.

### **Conceptualisation of regions' international activities: paradiplomacy or ...?**

Labeling the external activities of regional governments has been challenging in the academic literature. The most frequently used term 'paradiplomacy' has been incorporated in different styles and not in the same meaning by scholarly attempts of exploring the phenomenon of subnational governments' involvement in international relations. In fact, one of the founding fathers of 'paradiplomacy' concept, Ivo Duchacek, started in 1984 with the term 'microdiplomacy' what might suggest a speculative dimension of conceptualizing the region's actorness in international relations at that time. Moreover, the term of 'paradiplomacy' had been engaged by Rohan Butler in 1961 to describe "the highest level of personal and parallel diplomacy, complementing or competing with the regular foreign policy of the minister concerned" what usually meant "unofficial or secret negotiations that may take place in a shadow of official diplomacy, 'behind the backs' and 'under the table'" (Kuznetsov 2015: p. 26). The correlation between international engagement of regions with the term 'paradiplomacy' was forged by Panayotis Saldatos (1990: p. 34), who understood it as "a direct continuation, and to various degrees, from state government, foreign activities". This approach was supported by Duchacek (1990: p.32) who claimed that the term actually adequately referred to the analysed phenomenon: "parallel to, often coordinated with, complementary to, and sometimes in conflict with center-to-center 'macrodiplomacy'".

Without contesting the phenomenon of regional governments' involvement in international relations, the term of 'paradiplomacy' had been criticised, mostly by John Kincaid who proposed to use the term 'constituent diplomacy' which was meant to upgrade the sense of meaning of regions' actorness in international relations. In his opinion, paradiplomacy equaled secondary what could not be the case of units in federal states, like the US, where "the states are co-sovereign constitutional polities with the federal government, not sub-national governments" (Kincaid 2001: p. 1). Similar arguments were shared by Brian Hocking (1996: p. 39) who claimed, that "neologisms (...) – 'paradiplomacy' and 'microdiplomacy' implied some second-order level of ac-

tivity, the parent concept – diplomacy – being the rightful preservation of national governments". A second argument was of far more significant reason. In his view, the term 'paradiplomacy' limits regional governments to "unitary actors, whereas, in reality, they represent quite complex patterns of relationships both inside and outside their national settings, and embrace a diversity of interests". Instead he proposed the concept of 'multilayered diplomacy', understood as "densely textured web" in which regional actors "are capable of performing a variety of goals at different points in the negotiating process. In doing so, they may become opponents of national objectives, but, equally, they can serve as allies and agents in pursuits of those objectives" (Hocking 1993: p. 2–3).

The definition disputes mentioned above reflect the problems with conceptualisation and localisation of international activities of regions in key categories of international relations. However, as Kuznetsov (2015: p.28–29) concludes: "all proposed alternatives did not earn enough credit to substitute *paradiplomacy* as the major term in academic discourse. An accurate glance at the bulk of literature of the 1990s and 2000s gives us strong evidence of that because it shows that scholars may easily operate different terms in their works, but the concept *paradiplomacy* became the central starting point for both those who prefer this neologism and those who claim to have coined something better". The term is as problematic and ambiguous as the external activities of regions, however, this does not change the fact that regional involvement in international relations has been increasing, what is immanently associated with changes in international arena and on nation-state level.

## **Dimensions and types of paradiplomacy**

While understanding that paradiplomacy is generally about subnational governments' presence and activities in international relations, it is also important to understand that in the case of each region paradiplomacy does not mean the same, mostly in the sense of motivations, goals, possibilities and constraints. In this context André Lecours (2008: p.2–4) distinguishes between three layers of paradiplomacy. The first one is mainly about economic issues, focusing on attracting foreign investments, targeting new markets for export, establishing trade partners. There are no political aspirations nor cultural matters at stake in this type of paradiplomacy which is "primarily a function of global economic competition". The examples of such paradiplomatic layer can be found among American states, Australian states as well as Canadian provinces other than Quebec, namely Ontario and Alberta. The characteristic feature of the second layer of paradiplomacy is its extensiveness and multidimensionality because it involved cooperation in cultural, educational, technical, technological aspect. This cooperation is usually labeled as "decentralised cooperation" and refer mostly to European regions without prominent political goals. The third layer of paradiplomacy bases on political considerations. As Lecours (2008: p. 3) concludes: "Here, sub-state governments seek to develop a set of international relations that will affirm the cultural distinctiveness, political autonomy and

the national character of the community they represent". The layers can be cumulative depending on the variables mentioned above, international incentives and conjuncture and results of strategies the regional governments adopt.

Due to multitude of regional governments that perform different layers of paradiplomacy, it has been a challenge to develop a typology of it that would not lead to oversimplification (Magone 2006: p. 7). One of the most frequently mentioned is that developed by one of the founding fathers of the paradiplomacy concept, Ivo Duchacek, who in 1986 concluded that: "The various initiatives taken by non-central governments on the international scene have so far assumed four distinct yet interconnected forms: (1) transborder regional microdiplomacy, (2) transregional microdiplomacy, (3) global paradiplomacy, and (4) protodiplomacy" (Kuznetsov 2015: p. 27). The first type means trans-border formal and informal contacts between regions that share geographic proximity and the resulting similarity in commonly shared problems and methods of their solutions. Transregional microdiplomacy stands for connections between non-central governments that are not neighbours. Global paradiplomacy, as Duchacek describes, "consists of political functional contacts with distant nations that bring non-central governments into contact not only with trade, industrial or cultural centers on other continent but also with various branches or agencies of foreign national governments" whereas protodiplomacy contains the most distinctive political aims it means "activities of non-central governments abroad that graft a more or less separatist message onto its economic, social and cultural links with foreign nations" (Kuznetsov 2015: p. 27).

Another frequently mentioned is that proposed by Robert Kaiser who distinguished between three types basing on the forms that paradiplomacy adopted in the global governance system (Magone 2006: p. 8). The types are as follows:

- 1) Transborder regional paradiplomacy which relies on formal and informal contacts between neighbouring regions across national borders;
- 2) Transregional paradiplomacy which is understood as cooperation with regions in foreign countries;
- 3) Global paradiplomacy which rests on political-functional contacts with foreign central governments, international organisations, private sector industry and interests groups.

While sharing many similarities, Duchacek's and Kaiser's typologies capture different types of relations the regional government establishes in the international area, these are between regions themselves as well as other actors like states, international organisations, etc. However, according to José M. Magone (2006: p. 9–10) they miss one additional level that cannot be ignored, that is between the global and the regional. He suggests introducing an another type: transnational paradiplomacy which means a cooperation between national governments, which forms a context for regional governments and different interest groups to take part in common projects. As he explains: "The gatekeeper for such paradiplomacy are the national governments, but the real actors come either from civil society or subnational governments" (Magone 2006: p. 10).

## International determinants of paradiplomacy

Reflecting upon the determinants of the rise of paradiplomatic practices, David Criekemans unambiguously states that the activities of non-central governments are part of more comprehensive processes of multilevel international and global politics (Criekemans 2010: p. 5). Following this presumption, one of the major determinants is globalisation processes, understood not merely as a competition for market share, trade opportunities or economic liberalisation, but mostly in a broader context. As Carlos R.S. Milani and Maria C.M. Ribeiro observe globalisation has evolved "into a social and political struggle for defining cultural values and political identities (...), having major consequences for the internationalisation of politics" (Milani, Ribeiro 2011: p. 23). The consequences are at least several. Firstly, key categories in international relations such as participants or foreign policy have been subjected to intense processes of re-definition and re-categorisation. The processes of globalisation are accompanied by changes in international order which Marek Pietraś (2018: p. 185) describes as "late-Westphalian", which is characterised, among others, by the fact that apart from state actors (constituting the core of the Westphalian order) there are also influential entities without sovereignty, among others transnational corporations, transnational civil society organisations that create global civil society, religious movements and networks of sub-state territorial units. Globalisation processes have also put into question the classic division of the domestic policy from the external policy in relation to foreign policy due to "the increased permeability of national borders, implying a new quality of international interdependencies. Complex interdependencies arise, with the mutual penetration of what is global, international, national and local" (Pietraś 2018: p. 187). James N. Rosenau (2004, p. 34–36) diagnoses that a globalised world experiences fragmentation and integration at the same time, what he calls *fragmegration* which means that these two processes are interconnected, leading to a de-hierarchisation of world politics.

Secondly, as Theodore H. Cohn and Patrick J. Smith (1996: p. 25) noted: "The scope of international relations has expanded dramatically as global interdependence has increased, encompassing "new" policy areas such as environmental pollution, human rights, immigration, monetary and trade instabilities, and sustainable development. Unlike traditional strategic/security matters, these new issues are *intermestic* in nature: that is they are 'simultaneously, profoundly and inseparably both domestic and international'. The intermestic character of contemporary international issues favours involving different types of actors in international politics what leads to second important tendency. The increasing engagement of these various actors, mainly transnational and non-governmental, is visible on different levels making the international relations "decentralised" in many dimensions. As pointed out by Christoph Schreuer (1993: p. 449) centralisation embodied in the state monopoly, "is not a promising recipe for social stability or a better world order". Moreover, this state monopoly is being questioned because of *intermestic* nature of international issues, global interdependence producing multiple channels of access for different actors, which "in turn, progressively reduce

the hold on foreign policy previously maintained by central decision makers" (Chambers 2012: p. 10)

A third tendency redefines another classic division regarding the decision-making processes in relation to the significance of its subject. Basically, it was assumed that topics in the field of high politics were decided at the central level, while issues in the area of low politics were situated in the hands of sub-national units. Nowadays, we observe that this division loses its *raison d'être* due to the fact that often the "local" issue is the subject of interest for a wider audience, not only outside the region but also the state, while "hard" issues of international or state policy directly affect the socio-political and economic space of the region (Kuznetsov 2015: p. 104).

The international determinants contribute to the quality of the regions status as international actors. José J. Magone claims the region and its location factors become a more flexible unit to deal with the emerging thrusts of globalisation (Magone 2006: p. 2), whereas Christian Lequesne and Stéphanie Paquin (2017: p. 190–191) convince, that non-central governments have certain advantages over nation states resulting from their ambiguous status, which is partly both "sovereignty-bound" and "sovereignty-free" in the words of James N. Rosenau (1990: p. 36). Being sovereignty-bound means that, being in the state structure, unlike non-government actors, they have direct access to decision makers, including foreign policy actors, as well as international diplomatic networks. On the other hand, their sovereignty-free position allows them maneuverability "to act more freely than central governments. In that sense, non-central governments enjoy some of the benefits of civil society actors" (Lequesne, Paquin 2017: p. 191). In this way, non-central governments are "hybrid actors transcending Rosenau's *two worlds of world politics*, the *state-centric world* of the nation-state and the *multicentric world* of non-state actors. By exploring the boundaries between the conventional but often misleading distinctions between state and non-state actors, they have been able to play a variety of roles in several political arenas" (Hocking 1996: p. 40).

Based on the description and analysis of the international activity of regions in the world, John Kincaid distinguishes a number of roles that local governments can play in their international environment. First of all, he indicates the roles associated with promoting the economic, national and cultural interests of the regions. In the economic area, regional governments usually seek to attract foreign investment, promote exports of regional products, attract foreign tourists by conducting trade missions, offering incentives to investors, etc. In national and cultural area, regions attempt to „project their national or cultural identity onto the world stage; establish exchanges and other relations with kindred political communities elsewhere in the world; foster education abroad about their culture and education" (2010: p. 25–28). Another important set of international roles involves relations with the central government and here Kincaid (2010: p. 27) indicates that local governments are pressure actors in foreign policy-making. Regardless of their constitutional competence, local governments attempt to build and explore mechanisms that enable them to lobby in the central government and build alliances with non-governmental partners in order to put pressure on it to pursue desired foreign

policies. With regard to the foreign policy of the state, local governments can also be partners with their nation-state government in foreign policy development as they may be useful in offering expertise and experience. In case of certain reasons and concerning certain regions, "a constituent government can serve as a proxy for the nation-state by initiating a policy, providing aid, or conducting negotiations in situations where it would be politically embarrassing, diplomatically awkward, or legally impossible for the nation-state government to do so" (Kincaid 2010: p. 27).

### **Domestic determinants of paradiplomacy**

Diagnosing the sources of dynamic development of the paradiplomacy only in the international area gives an incomplete picture, therefore it should be supplemented with internal stimuli of foreign activity of the regions. Naturally, setting clear boundaries between external and internal determinants is not recommended due to contemporary global tendencies resulting in their mutual penetration and conditioning.

Alexander S. Kuznetsov (2015: p. 103–104) propounds the thesis that democratisation processes favour the development of regional activity in a natural way, assuming pluralism and decentralisation, stimulating and sometimes even forcing regional entities to a specific action. For Kincaid (2010: p. 15–16) democratisation is of far greater importance than globalisation when it comes to determining international activities of regions, mainly due to the fact that this kind of regional governments appeared before the era of globalisation which is rather an enabling factor than a casual factor and it does not explain "the variations in constituent diplomacy evident across countries, nor does it explain the absence of constituent diplomacy in the most countries". Basically, paradiplomatic activities are more common, as it is diagnosed in the literature, in the countries that "have a market-based economy, a democratically elected national government, elected regional and local government officials, competing and/or regional political parties, and protections of human rights, including property rights" (Kincaid 2010: p. 16).

The paradiplomacy is closely connected with the processes of regionalisation, which paradoxically overlap with the processes of globalisation, resulting in a situation in which the nation state is under the pressure of factors flowing from above and below. At the level of internal determinants, regionalisation can be seen in at least three dimensions: first, as "a state policy (...) in which central governments are actively involved in engaging regional elites in designing and implementing a national strategy, thus raising their political and economic status"; secondly, as "a bottom-up process in which regions demand greater political, economic and cultural autonomy"; thirdly, as "a reaction of both central and regional governments to the challenges and opportunities arising in the context of global economic change" (Kuznetsov 2015: p. 103). This third dimension confirms the correlation between the international policy processes and the internal policies / policies of the state.

Depending on the characteristic features of the state's political system, four inter-governmental relations models can be distinguished, which determine the quality and



scope of international activity in the regions. The first pattern is a dualism model, found in the United States, in which the federal government and the state pursue "their separate foreign-policy interests independently in accordance with their respective constitutional powers. Intergovernmental relations are activated when the states need assistance from the federal government or the federal government needs assistance from the states" (Kincaid 2010: p. 21–22). The second pattern is to promote a nation-state as a dominant actor with limited international activities of region. This model is mostly to be found in Russia. In the third pattern, a nation-state performs as a leader but "there is more parity and a better balance of power between the nation-state and the constituent governments". This pattern is characteristic for parliamentary federation in the Westminster tradition. In the fourth pattern non-central governments enjoy limited foreign-affairs powers and are involved in nation-state foreign-policy-making through institutionalised intergovernmental structure. Here, the examples are, among other, Austria, Belgium and Germany.

As we can see from the types of intergovernmental relations, different countries react differently to international aspirations and activities of their regions. However, what could be observed, especially in Europe, national governments begin to realise the inevitability of international development of regions. Thus, in order to avoid internal incoherence, visible dramatically from the international perspective, they try to craft channels and mechanisms of intergovernmental consultation and coordination (Lecours 2008: p. 6–7), which are determined by several, not only constitutional, factors.

With regard to stimulants of paradiplomacy, which are consequences of domestic circumstances, it should be pointed out that they have naturally a diverse nature, intensity and consequences in the context of various countries and their regions. First of all, there are "significant differences in the legal frameworks that regulate the foreign policies of constituent units: some are more formal and rigid constitutionally (Germany) and others are more formal and include many ad hoc procedures (UK)" (Requejo 2010: p. 12). In the literature, priority is given to the federal character of a state which results in a top-down pressure of central governments on regional structures. In fact, as diagnosed by Ferran Requejo (2010: p. 12): "comparative politics shows that the existence of a symmetric position between two chambers of the central parliament (with an upper chamber of a territorial nature) as well the existence of different party systems in the two levels of government are elements which, in general terms, reinforce the intensity of the foreign policy of the constituent entities (...) the multi-level nature of a state is also reflected in the international sphere. In the Belgian case, the regions and linguistic communities ratify the international agreements signed by the federation and, in the German case, the upper chamber (Bundesrat) plays an important international role".

The paradiplomatic activity of regions is particularly conditioned by determinants whose essence places them in the bottom up dimension of understanding regionalisation, which, as we shall see below, may result problematically for central governments. They most often result from various kinds of asymmetries in the country and the accompanying aspirations of the regions.

The first type of asymmetry can be distinguished in countries where different regions are characterised by unequal entrance to the nation state due to ethnic, linguistic specificity, etc., which increases their need to have a special status, emancipation or secession against other backgrounds (Kuznetsov 2015: p. 105). In this context, the paradiplomacy serves as "a multifunctional vehicle for the promotion of interests and identity" (Lecours 2008: p. 2) and thus as a tool for building relations with the rest of the world, bypassing the central government, in order to build foundations for international recognition for national aspirations and thus to create an instrument of pressure on the central government in the fight for the most far-reaching concessions for the region. Examples of such territorial units as Catalonia, Basque Country, Flanders endowed with a national character illustrate the motivation of their regional governments to carry out a more active foreign policy (Requejo 2010: p. 10). For fundamental cases of this type of paradiplomacy, like Flanders, Stéphane Paquin (2003: p. 621–642) uses the term 'identity paradiplomacy'. As expected, paradiplomacy appears to be a great multifaceted challenge for central governments, which involves managing various levels of asymmetry within the state, i.e. between the 'secessionist' region and the other units or between the particular region and the central government. However, as Peter Lynch (2001: p. 159) emphasises, paradiplomacy: "has two distinct political ends. Firstly, paradiplomacy can be used as a nation-building strategy to raise the profile of the region in preparation for a bid for statehood. Second, paradiplomacy as a political defense mechanism for regional governments and political parties that seek to resist secession and statehood, and they use paradiplomacy to emphasise the extent to which the region can become an effective role in international politics while avoiding the uncertainties of secession". In this second understanding, paradiplomacy can serve as a source of compensation for giving up national and/or state-building aspirations.

The second type of asymmetry is connected with the actual possibilities of international influence and decisive efficiency. In this context, the paradiplomacy is fueled by the inefficiency of central governments felt by regional units in specific areas in the international environment. As Kuznetsov (2015: p.106) points out, this is the most often the case when the central government does not show sufficient political will to take up the topic, strategically important from the point of view of the interests of the region, which in this situation alone attempts to build international space for their articulation and implementation. Another, crucial elements in this type of asymmetry are systemic deficiencies, which Krzysztof Tomaszewski (2006: p.78) mentions: "(...) failure of the central administration (excessive bureaucratisation, expert deficiencies, limitations in the disposal of resources, etc.); institutional shortcomings resulting in insufficient involvement of intra-state units in decision-making processes in the field of foreign policy; lack of precise provisions in the constitution regarding appropriate division of competences between particular levels of authority; general reduction of foreign policy's meaning and referral to domestic affairs". In the case of 'active' regions, not only because of separatist ambitions, but mainly for reasons of economic activity, such systemic deficiencies in the country constitute a source of frustration for the region, which finds its outlet in the search for a space in international relations.

The third type of asymmetry concerns the differences between regions within one country, which result in its territorial diversification and increased ambitions of the regions, mainly due to their economic potential and international experience that they get during their paradiplomatic activities (see more: Cohn, Smith 1996: p. 33).

## **The European Union as a laboratory of paradiplomacy**

In research on paradiplomacy, European integration is indicated as one of its most important determinants. This is mainly due to the fact that the European Communities introduced a structural policy that resulted in the allocation of regions in the European policy-making. In this context, the concept of "Europe of the Regions", which various understandings were to accentuate the regional turnaround in Europe, acquired a special meaning. This was in line with the specific nature of the European Union as well as the aspirations of various regions for which European integration began to perform specific functions, not necessarily the same as those that it held for their central governments.

The specific nature of the EU is the reason behind the logic proposed in this article that the EU experiences, embraces, encompasses as well as many times generates the determinants of paradiplomacy described above. Therefore it is assumed here that the EU constitutes a form of a laboratory of paradiplomacy which is characterised by activities of different regional governments with different capacities, institutional and constitutional background and motivations which aim at exploring possible channels of access to the EU decision-making in a differentiated manner. This very fact justifies the framework of the EU as a laboratory of paradiplomacy, especially that since some time the traditionally prevailing concept of "Europe of the Regions" has been questioned not only by scholars, who are searching for an explanatory approach aimed at the generalisation of paradiplomacy in the EU, but also by central governments, which generally tend to resist the devolution of real power to non-central governments, as well as regions themselves, which are disappointed with some of the EU development directions e.g. the 1993 and 1999 revision of European structural cohesion policy, which introduced social partners into the European arena, thus undermining the privileged role of regional government (Bauer, Börzel 2010: p. 10).

In the following section, the framework of the EU as a laboratory of paradiplomacy is explained in the three subsequent parts addressing the core issues. Firstly, the EU is referred to as an *intermestic* determinant of paradiplomacy, what results from the specific nature of the EU that corresponds with international and domestic determinants of paradiplomacy in general. Secondly, the EU is addressed as an arena of paradiplomacy where various patterns of regional governments' presence in Brussels are tested. Finally, paradiplomacy in the EU is presented as a scholarly challenge.

### **The EU as an *intermestic* determinant of paradiplomacy of Member States' regions**

In context of international determinants European integration is particularly important for the international mobilisation of regions, as it not only stimulates these activities, but

also offers an arena for their implementation, which is referred to as "increasingly post-sovereign political space" (Chambers 2012: p. 8). The foreign activity of the regions of the EU Member States, together with its various formulas, has become one of the most prominent manifestations of paradiplomacy in the today's world, being a kind of logical emanation of the EU specifics, combining state-centric and supranational regimes. It is precisely the EU that constitutes a kind of 'test ground' for the contemporary tendencies in international relations like re-definition and re-categorisation of key categories in realms of sovereignty, diplomacy, high and low politics. Firstly, the European integration challenged the traditional understanding of sovereignty and number of scholars tend to forge notions adequate to describe the EU's nature. William Wallace (2006: p. 491-494), for example, uses the term of "partial polity" where sovereignty has been continuously reinterpreted, what results in the 'post-sovereign' politics of collective governance in the world where problems are more of global than national character. For this reason, the EU fits the "late-Westphalian" model of international order as it embraces different kind of actors within the framework of its decision-making, starting from state actors and supranational institutions to transnational participants (see more: Curyto 2015). Secondly, as a consequence of Europeanisation processes understood broadly as the EU's impact of its Member States (top-down Europeanisation) and Member States' impact on the EU (bottom-up Europeanisation), European integration remains constantly of *intermestic* character, meaning that processes within the EU (perceived as international arena in this sense) are interconnected with domestic development and *vice versa*. Here we can apply the approach that Europeanisation top-down processes resulting in advancement in integration correlate with bottom-up processes producing rather disintegrative mechanisms (see more: Curyto 2017). Thirdly, European integration and EU legislation encompass and regulate a wide range of policy areas, what puts into question a traditional division of issues of *high politics* and *low politics*, producing the fact that often *low politics* issues are under serious political consideration and bargaining at the EU level within different institutions. In context of this development, regions are not only invited but also forced in some sense to activate in the European arena. As Carolyn Moore (2007: p. 2) explains: "The simple explanatory factor in understanding regional engagement in Brussels is that EU policy matters for regional actors". The relevance of EU policy and legislation is highly recognised by regional actors since particularly EU legislation involves regional governments in its implementation forcing them to take steps towards establishing means to shape that legislation (Greenwood 2003: p. 231).

This brief comparison of international determinants of paradiplomacy which are manifested in the EU gives us a sense of understanding of their correlation with domestic determinants of regions' international engagement which are also strongly represented in the case of the EU. As stated in the previous part, democratisation and decentralisation are particularly important incentives for paradiplomacy to be developed. In context of the EU the growing tendency of decentralisation in majority of EU Member States increased the capacity of regional governments which seek different patterns of influencing their national governments' EU policy preferences (Loughlin 2001: p. 18). Naturally, this ten-

dency is partly forced by Europeanisation processes and EU legislative outcomes which require the involvement of regional actors, at least in the area of implementing European decisions.

When it comes to domestic determinants of paradiplomacy, the EU case is also representative, mostly in terms of intergovernmental relations between central and non-central governments. This issue must be obviously located in reflections upon political systems of the EU Member States, which define the scope of possibilities of international activities of the regions. The brief look at this matter lets us arrive with conclusion that regions within federal states enjoy more space to maneuver in comparison to their counterparts in unitary states and this is a general international tendency. But the case of the EU is more about the actual relations between the state and the region, taken in political, economic and cultural dimensions. Addressing all the asymmetries mentioned in the part above, which are naturally present in the EU Member States and their regions, we can see that the EU is treated as a point of reference to deal with these asymmetries. For example, for the regions which experience the asymmetry associated with their ethnic or linguistic specificity "the EU increasingly serves as a potential reference point and even ally for ethno-national political movements against what are perceived as the redundant constrictions of the nation-state. Membership of the EU offers an alternative institutional framework which can help to diminish the political and economic costs of secession" (Chambers 2012: p. 8). As a consequence, European integration became in some sense a compensation for the ambitions of certain regions.

The other asymmetries within the EU Member States come usually from "soft power" of regions and they are produced by such kind of factors like one's region' capacity of international influence, decisive efficiency or economic position in contradistinction to less equipped regions and in this aspect the EU offers opportunities to reach decision-making mechanisms for European regions, which are driven by economic, cultural or political motivations and not necessarily secessionist aspirations, for example in Germany, France or Austria (see more: Blatter et al. 2013). As diagnosed by Chambers (2012: p. 8): "The EU constitutes a political regime which provides previously domestic actors such as regional governments with diverse opportunities to take advantage of new opportunities to access the international scene". The opportunities open the area of understanding of the EU as an arena of paradiplomacy of EU Member States' regions where various modes of activities are explored and tested.

### **The EU as an arena of paradiplomacy of Member States' regions**

The opportunities are both in institutionalised and non-institutionalised channels. In the first case, the development of the regions' activity was significantly influenced by the structural funds policy under which supranational actors such as the European Commission, national authorities, regional authorities and social actors work closely together (Hooghe 1995: p. 182). The Treaty of Maastricht, which introduced institutionalised channels for presenting their interests and opinions, was of significant importance for the region's activation, for it initiated, inter alia, a procedure allowing the Member State to

send a regional minister to the Council of Ministers, which could negotiate bindingly for a Member State, as well as appointed the Committee of the Regions, which is an institution designed for the representation of the regional level in the EU (Hooghe 1995:p. 180). Concerning the procedure, there were Belgian regions and German *Länder* particularly interested in and which successfully lobbied the 1991 Intergovernmental Conference what resulted in the fact that „national governments' monopoly of representation [in the Council of Ministers – B.C.] was clearly broken“(Bursens, Deforche 2010: p.167). Naturally, diverse national regulations in the context of the above procedural and organisational solutions result in a varied level of activity of the European regions, which does not undermine the significance of their existence. What is also interesting, in this context, paradiplomacy has begun to be considered in parallel with Europeanisation, understood as the adaptation of a member state to institutional arrangements of the EU (Bursens, Deforche 2010: p.168).

In addition to the institutionalised channels of access to the EU decision-making, regions also explore non-institutionalised forms. Amongst a vast variety of informal instruments the ones that are frequently used are regional offices in Brussels, which strive to be something “between an informal ‘embassy’ for their particular region and a lobbying agency. They provide the European Commission and the European Parliament with regional viewpoints on issues that concern them; they survey the European scene for upcoming issues and bring them to the attention of policy-makers in their home governments; they participate in networks with other regional offices or with other organisations; they provide a rudimentary welcome service to private actors from their regions; and they lobby for a greater voice in EU decision-making” (Hooghe 1995: p. 186). However, a high degree of diversity between European regions in terms of their economic position or political aspirations means that this type of regional representation is not homogeneous and creates a map of offices of active ‘advocates’ of their regions, as well as more passive ones, which nevertheless share the belief that it is impossible to be absent in Brussels .

While reflecting upon growing mobilisation and institutionalisation of regional offices in Brussels Carolyn Moore (2007: p. 1) diagnoses a “somewhat paradoxical situation whereby on the one hand, the concept of a ‘Europe of the Regions’ has largely been discredited and has generally fallen out of favour, whilst at the same time, the regional engagement in Europe continues to grow at an exponential rate”. In this understanding the concept of “Europe of the Regions” means a sort of the European-wide solution to encompass the variety of European regions and their potential, motivations and goals which would result in consolidating some sort of the “Third Level” engagement in the EU (Moore 2007: p.13). The reasons for failure of this concept comes from vast heterogeneity of European regions.

What seems to matter the most in today's paradiplomacy in the EU is the case of influencing the EU policy and the legislation what is conditioned by the capacity to act and in this context we can distinguish two types: constitutional regions and administrative (non-constitutional) regions. Moore (2007: p. 8) diagnoses that “The constitutional regions in Brussels represent a unique subset of regional actors in the EU with a del-

egated set of legislative competences. The Spanish Autonomous Communities, the German and Austrian Länder, the Belgian provinces and the Devolved Administrations of the UK constitute a vocal group of powerful regions, who together press for greater recognition of their unique governmental status in Europe, and a more powerful say within European decision-making processes". Constitutional regions are strongly oriented to the political dimension of their activity in Brussels, whose goals are clearly linked to the priorities of their national governments, which are both their sponsoring agencies and their end users. As a result, these regions "seek to carry out policy work for ministers, help to define future policy programmes and agendas, and arrange ministerial meetings and briefings with the key EU decision-makers. Their institutional focus is largely directed in Brussels towards these institutions with the most authority, and where themselves are keen to extend their influence: primarily to the Council of Ministers and the Permanent Representations of their member states" (Moore 2007: p. 9). Therefore, the fundamental goal of the constitutional regions is to influence the EU decision-making process and build channels of access to the key decision-makers. The implementation of this 'Brussels strategy' is also carried out based on the investment in a large number of qualified staff and prestigious locations in the city, near target institutions.

The starting point for administrative regions to operate in Brussels is their position towards their sponsoring stakeholders and the level of involvement of different actors ranging from local government ones, education institutions, business companies, etc. Therefore, the case of these regions is to pursue the economic development agenda of the region as a whole. As a result the core of their activities concentrates on diagnosing the EU funding opportunities, raising awareness of these schemes amongst interested partners, establishing networks with other EU regions to upgrade both individual and common capacity. In contradistinction to constitutional regions, the administrative ones' regional offices are characterised by more low-key political dimension in their work what results in targeting different EU institutions. Being attached to the usefulness of regional networks they are strongly involved with the Committee of the Regions, but the most important actions are aimed at the European Commission. Non-constitutional regions "seek to engage in policy networks which allow regional actors in Brussels to share experience and develop joint opinions to deliver to Commission consultations or directly to the relevant policy officials. Some of these grouping are quite formal in nature, meeting on a regular basis (...); others remain more ad-hoc in nature and are short lived, generally over the lifecycle of an individual policy proposal. As a result, their primarily interlocutors in Brussels tend to be officials within the European Commission, where they often find themselves pressing against an open door in response to the 'demand pull' from the many DGs who seek their participation" (Moore 2007: p.10).

Consequently, as we see from the diversification between constitutional and administrative regions, there is no common pattern for regions to act on the Brussels level. Therefore European regions are experimenting in their 'EU paradiplomacy' basing mostly on means available for them, but their motivations and goals as well.



### **Paradiplomacy in the EU as a scholarly challenge**

The very fact of heterogeneity of EU Member States' regions with their diverse paradiplomatic actions, together with specific nature of the EU itself, has been a challenge for scholars to grasp the reliable and comprehensive picture of the paradiplomacy in the EU. Most commonly, paradiplomacy is usually referred to multi-level governance approach which "encompasses fundamental aspects for understanding subnational diplomacy" since it "accepts the ideas that decision-making competences are shared by actors at different levels and that political spheres are interconnected" (Setzer 2015: p. 4). In this sense the concept of multi-level governance "has opened scholarly eyes for regions as relevant actors in EU decision-making" (Bursens, Deforche 2010: p.157). In this concept's understanding we can expect that European reality is constituted by three levels: European, national and regional what aspires to prove that "European integration has neither purely strengthened the state, as suggested by liberal intergovernmentalism (...), nor has the state been automatically weakened as expected by neo-functionalism approaches" (Bauer, Börzel 2010: s. 2). However, multi-level governance as a key concept in explaining the regions' international engagement has been challenged by scholars who, while acknowledging its input, recognised some further necessities to research. Peter Bursens and Jana Deforche (2010: p.151) claimed, that multi-level governance must be supplemented by historical institutionalism to explain "why certain regions acquired a particular set of foreign policy powers" in order to operate on international level. Michael W. Bauer and Tanja Börzel (2010: p. 2) claimed that "The multi-level governance literature acknowledges that European integration has not given rise to the emergence of a homogenous regional level of governance in the EU" and they justify that "the patterns of intergovernmental relations between the EU, the central state and the regions are too diverse to be explained by the theories of European integration that have dominated the debate on a 'Europe of the regions'. The concept of multi-level governance is better suited to accounting for the varieties of regional government found in the EU. However, this concept has no explanatory power to account for the variation we observe across time, policies and member states". Following similar presumptions Michael Keating (2017: p. 616) claims that "There is a search for mechanisms to institutionalise this 'third level', but they have reached no solution. The multilevel governance approach opens up the black box of the state and emphasises complexity, but it has weak ontological and normative foundations". Therefore he proposes to consider applying the federal perspective, that in its recent development moves away from the American model and "has the analytical advantage of focusing on relationships among territory, function and institutions while also addressing normative issues including representation, sovereignty and solidarity" (Keating 2017: p. 616).

The promising utility of this approach remains to be seen, but there are still the same complications concerning the heterogeneity of the regional governments in EU Member States and, what Keating (2017: p. 626) emphasises himself, the actual will of Member States to provide regions with further competences and the EU's "mandate or interest to intervene in matters of national sovereignty". These three aspects make paradiplomacy



in the EU a multifaceted phenomenon, resisting a scientific generalisation. Nonetheless, the very presence of regional governments in Brussels seeking palpable influence on the EU decision-making and their central governments' European policy preferences proves more and more that "regional presence in Brussels has become a core element of EU membership" (Moore 2007: p. 3). Thus, in a functional way, the EU constitutes a laboratory of paradiplomacy. In his study, Kuznetsov (2015: p. 50–51) lists dimensions that can serve as explanatory frameworks of paradiplomacy in general, but they are tested within the EU's laboratory framework more than intensively. The most representative for the EU's case are as follows:

- a. constitutional dimension which refers to analyzing paradiplomacy from the position of legal expertise and identifying the competences regional governments are granted in national constitutions and other legal acts with reference to international affairs;
- b. federalist dimension in which scholars tend to perceive international activities of regional governments as a variable for the development of the federal system or, reversely, they point out to federalist arrangements as an explanation for evolution of paradiplomacy;
- c. nationalism dimension which parallels paradiplomacy with nationalist aspirations in the regional level in multinational and multilingual countries;
- d. globalisation dimension which seems to be one of the most frequent scientific discourse presenting paradiplomacy as "an illustrative manifestation of the two global forces – regionalisation and globalisation";
- e. international relations dimension which embraces is a broad perspective of analysis of changes in international relations, which are predominantly visible in growing number of new actors that influence international arena, putting sovereign states' position in this matter to the test;
- f. diplomacy dimension which focuses on the phenomenon of decentralisation of diplomacy ("diplomatic" practices of regions) and its consequences to the central state diplomacy.

## **Conclusions**

In recent decades paradiplomacy has become an increasingly interesting and challenging area of study. Its vast evolution in scope, types and dimensions is a result of changes taking place constantly on the international and domestic arenas. For this reason, paradiplomacy is somewhat manifestation of the contemporary alternations in international relations and the inner-state affairs. In this context, an increasingly interesting case is the EU, which can serve as an explanatory framework for international activation of European regions. There are several reasons for justification of such an approach. Firstly, European integration mechanisms encompass many of the global mechanisms and domestic changes that were described in this article as determinants of paradiplomacy. Secondly, the EU and Europeanisation processes as such produced

many of the stimuli and possibilities for regions to engage in European scene. And thirdly, certain European regions that were experiencing distinctiveness from their nation-states before the intensification of the EU's 'paradiplomatic' opportunities, see the EU as a point of reference and arena to operate without a severe need of secession from their countries.

The aim of this article was to propose the framework of the EU as a laboratory of paradiplomacy, which was explained through addressing the core issues. Firstly, the EU was referred to as an *intermestic* determinant of paradiplomacy, what results from the specific nature of the EU that corresponds with the international and domestic determinants of paradiplomacy in general. Secondly, the EU was addressed as an arena of paradiplomacy where various patterns of regional governments' presence in Brussels were tested. Finally, paradiplomacy in the EU was presented as a scholarly challenge. The development in the first two aspects resulted in palpable, however diverse regional engagement in Brussels recognised to that extent that for example José M. Magone (2006: p. 19) even claims that "What once was regarded as paradiplomacy is now part of European domestic politics". At the same time, this development require a scholarly touch what seems to be a challenge taken into consideration of the variables and dimensions this article was pointing to. Nonetheless, the regional activities aimed at the EU institutions and their own central governments' European policy preferences are operating more or less intensively with respect to the European integration, and for that reason the EU constitutes a laboratory of paradiplomacy.

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